

INSD Pro Se Civil Rights Complaint (unrelated to imprisonment) (adapted from AO Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner))

# UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

4 : 23 - CV - 0086 TWP KMB

Case No:

(to be filled in by the Clerk's Office)

MAXINE F. BROWN

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) ☐ Yes ☒ No

TOWN OF CORYDON (SEE ATTACHED)

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

**FILED**

MAY 17 2023

U.S. DISTRICT COURT  
NEW ALBANY, INDIANA

## COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

### NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

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# I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

County

Telephone Number

E-Mail Address

MAXINE F. BROWN  
440 ATWOOD ST., P.O. Box 441  
CORYDON, IN 47112  
City State Zip Code  
HARRISON  
812/738-8497  
MXNBROWN@AOL.COM

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

TOWN OF CORYDON  
LESTER RHODES, PRESIDENT  
219 N. CAPITOL AVENUE  
CORYDON, IN 47112  
City State Zip Code  
HARRISON  
812/738-3958

☐

Individual capacity

☒

Official capacity

Defendant No. 2

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☒

Official capacity

PAUL HAMANN  
VICE PRESIDENT  
219 N. CAPITOL AVENUE  
CORYDON, IN 47112  
City State Zip Code  
HARRISON  
812/738-3958

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Defendant No. 3

Name

HOPE SCHNEIDER

Job or Title (if known)

COUNCIL MEMBER

Address

219 N. CAPITOL AVE.

CORYDON, IN

State

47112

Zip Code

County

HARRISON

Telephone Number

812/738-3958

E-Mail Address (if known)

☐

Individual capacity

☒

Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐

Federal officials (a *Bivens* claim)

☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

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- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.
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### III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

440 ATWOOD STREET, 400 E. SUMMIT ST.  
CORYDON, INDIANA

- B. What date and approximate time did the events giving rise to your claim(s) occur?

2019 - PRESENT

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)
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#### IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

EMOTIONAL

#### V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

AT COURT'S DISCRETION

#### VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

##### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 5/17/2023

Signature of Plaintiff

Printed Name of Plaintiff

Maxine F. Brown  
MAXINE F. BROWN

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**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney \_\_\_\_\_

Printed Name of Attorney \_\_\_\_\_

Bar Number \_\_\_\_\_

Name of Law Firm \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_  
*City* *State* *Zip Code*

Telephone Number \_\_\_\_\_

E-mail Address \_\_\_\_\_

**See Attached:**

**Defendant – TOWN OF CORYDON**

Harlan R. Fisher  
Corydon Town Council  
219 North Capitol Avenue  
Corydon, IN 47112  
County: Harrison  
Telephone Number: 812/738-3958

Doug Castetter  
Corydon Town Council  
219 North Capitol Avenue  
Corydon, IN 47112  
219 North Capitol Avenue  
Corydon, IN 47112  
County: Harrison  
Telephone Number: 812/738-3958

**Defendant – HARRISON COUNTY GOVERNMENT**

Charlie Crawford  
Commissioner  
Harrison County Government  
245 Atwood Street  
Corydon, IN 47112  
County: Harrison  
Telephone Number: 812/738-3894 or 812/738-9691

Nelson Stepro  
Commissioner  
Harrison County Government  
245 Atwood Street  
Corydon, IN 47112  
County: Harrison  
Telephone Number: 812/738-3894 or 812/738-9691

Brad Wiseman  
Commissioner  
Harrison County Government  
245 Atwood Street  
Corydon, IN 47112  
County: Harrison  
Telephone Number: 812/738-3894 or 812/738-9691

## **Attachment**

### **STATEMENT OF CLAIM**

The plaintiff, **Maxine F. Brown**, a Black American native and resident of Corydon, Harrison County, Indiana is being denied full access to Town of Corydon public utilities and services – water/sewer and trash pickup. The plaintiff has been denied full access to these services for the entire time that she has lived in Corydon – from the time of her birth in 1944 until she relocated to another area in 1963 and continuing from the time that she returned to Corydon in 1979 until present.

The plaintiff lives in an historically and predominantly Black neighborhood in Corydon. Although her address is 440 Atwood Street, some residents refer to her neighborhood as “Nigger Hill.” When the plaintiff had a house built on her family property in 1984, she was granted only limited access to water/sewer. She was not granted trash pickup. Due to the Town of Corydon’s refusal to grant full access to water/sewer, she was compelled to have her private sewer line run along a publicly-traveled street, which made it impossible to protect her sewer line.

**Further**, the Town of Corydon and Harrison County Government have jointly failed to ever incorporate the plaintiff’s neighborhood into the Town of Corydon, despite the fact that the plaintiff’s neighborhood is surrounded by other neighborhoods that are incorporated into the Town of Corydon.

**Further**, in an apparent attempt at gentrification of the plaintiff’s neighborhood, officials of the Town of Corydon and Harrison County and others have engaged in a number of suspicious actions that have resulted in the plaintiff being harassed, intimidated and threatened. In addition, these actions have damaged and/or harmed the plaintiff and her properties.

**Further**, an historically Black school that the plaintiff purchased and developed as a State of Indiana historic site has repeatedly been vandalized. Despite efforts by the plaintiff to report these crimes to law enforcement, the vandalism has persisted. In addition, the historic site has had its access to Town of Corydon sewer/water blocked from full access.

As a result of these actions that cover a period of about five (5) years, the plaintiff has experienced pain and suffering and damages to her properties for which she wishes monetary compensation and full access to Town of Corydon services.